

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JOSEPH T. PEARCE,

Defendant.

8:21CR70

ORDER

This matter is before the court on the defendant's Unopposed Motion to Continue Trial [34] and Amended Unopposed Motion to Continue Trial [35]. The court had a telephone conference with the attorneys on December 6, 2022. For the reasons set forth in the motion, and the information provided to the court during the telephone conference, the court finds good cause has been shown,

IT IS ORDERED that the Unopposed Motion to Continue Trial [34] is denied as moot and the Amended Unopposed Motion to Continue Trial [35] is granted as follows:

1. The jury trial, now set for January 3, 2023, is continued to **February 28, 2023**
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 28, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).
3. **No further continuances will be granted without requesting a hearing before the undersigned magistrate judge.**

DATED: December 7, 2022

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge